

## House Resolution 1681

By: Representatives Rogers of the 26<sup>th</sup>, McCall of the 30<sup>th</sup>, Harbin of the 118<sup>th</sup>, Loudermilk of the 14<sup>th</sup>, Butler of the 18<sup>th</sup>, and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that funds derived from sales  
2 and use and motor fuel taxes with respect to jet fuel and aviation gasoline shall be allocated  
3 for activities incident to providing and maintaining an adequate system of public-use airports  
4 in this state; to authorize the General Assembly to specify and direct the use of such funds  
5 by general law; to provide for submission of this amendment for ratification or rejection; and  
6 for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

## SECTION 1.

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9 Article III, Section IX, Paragraph VI of the Constitution is amended by revising  
10 subparagraph (b) as follows:

11 "(b) ~~An~~ Except as otherwise provided in Paragraph VIII of this article, an amount equal  
12 to all money derived from motor fuel taxes received by the state in each of the immediately  
13 preceding fiscal years, less the amount of refunds, rebates, and collection costs authorized  
14 by law, is hereby appropriated for the fiscal year beginning July 1, of each year following,  
15 for all activities incident to providing and maintaining an adequate system of public-use  
16 roads and bridges in this state, as authorized by laws enacted by the General Assembly of  
17 Georgia, and for grants to counties by law authorizing road construction and maintenance,  
18 as provided by law authorizing such grants. Said sum is hereby appropriated for, and shall  
19 be available for, the aforesaid purposes regardless of whether the General Assembly enacts  
20 a general appropriations Act; and said sum need not be specifically stated in any general  
21 appropriations Act passed by the General Assembly in order to be available for such  
22 purposes. However, this shall not preclude the General Assembly from appropriating for  
23 such purposes an amount greater than the sum specified above for such purposes. The  
24 expenditure of such funds shall be subject to all the rules, regulations, and restrictions  
25 imposed on the expenditure of appropriations by provisions of the Constitution and laws  
26 of this state, unless such provisions are in conflict with the provisions of this ~~paragraph~~  
27 Paragraph. And provided, however, that the proceeds of the tax hereby appropriated shall

not be subject to budgetary reduction. In the event of invasion of this state by land, sea, or air or in case of a major catastrophe so proclaimed by the Governor, said funds may be utilized for defense or relief purposes on the executive order of the Governor."

## SECTION 2.

Article III, Section IX of the Constitution is amended by adding a new Paragraph to read as follows:

"Paragraph VIII. ***Public-use airports improvement fund.*** An amount of money equal to all money derived from sales and use and motor fuel taxes with respect to jet fuel and aviation gasoline received by the state in each of the immediately preceding fiscal years, less the amount of refunds, rebates, and collection costs authorized by law, is hereby allocated to the regional public-use airports improvement fund for the fiscal year beginning July 1, of each year following, for all activities incident to providing and maintaining an adequate system of regional public-use airports in this state. The General Assembly is specifically authorized to allocate and specify and direct the use of the sum provided for under this Paragraph by general law. The sum provided for under this Paragraph is appropriated for, and shall be available for, the airport purposes authorized under this Paragraph regardless of whether the General Assembly enacts a general appropriations Act; and said sum need not be specifically stated in any general appropriations Act passed by the General Assembly in order to be available for such purposes. However, this shall not preclude the General Assembly from appropriating for such purposes an amount greater than the sum specified above for such purposes. The expenditure of such funds shall be subject to all the rules, regulations, and restrictions imposed on the expenditure of appropriations by provisions of the Constitution and laws of this state, unless such provisions are in conflict with the provisions of this Paragraph; provided, however, that the proceeds of the tax appropriated under this Paragraph shall not be subject to budgetary reduction. In the event of invasion of this state by land, sea, or air or in case of a major catastrophe so proclaimed by the Governor, said funds may be utilized for defense or relief purposes on the executive order of the Governor."

## SECTION 3.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

60     "( ) YES    Shall the Constitution of Georgia be amended so as to provide that funds  
61                   derived from sales and use and motor fuel taxes with respect to jet fuel and  
62     ( ) NO     aviation gasoline shall be allocated for activities incident to providing and  
63                   maintaining an adequate system of public-use airports and to authorize the  
64                   General Assembly to specify and direct the use of such funds by general  
65                   law?"

66   All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
67   All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
68   such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
69   become a part of the Constitution of this state.